

Senate Bill 588

By: Senators Rogers of the 21st, Shafer of the 48th, Staton of the 18th and Hill of the 32nd

AS PASSED

AN ACT

To amend Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to fair business practices, so as to prohibit the use or display of social security numbers except in specified circumstances; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 2 of Article 15 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to fair business practices, is amended by inserting a new Code Section 10-1-393.8, immediately following Code Section 10-1-393.7, relating to solicitations during final illness, to read as follows:

"10-1-393.8.

(a) Except as otherwise provided in this Code section, a person, firm, or corporation shall not:

- (1) Publicly post or publicly display in any manner an individual's social security number. As used in this Code section, 'publicly post' or 'publicly display' means to intentionally communicate or otherwise make available to the general public;
- (2) Require an individual to transmit his or her social security number over the Internet, unless the connection is secure or the social security number is encrypted; or
- (3) Require an individual to use his or her social security number to access an Internet website, unless a password or unique personal identification number or other authentication device is also required to access the Internet website.

(b) This Code section shall not apply to:

- (1) The collection, release, or use of an individual's social security number as required by state or federal law;
- (2) The inclusion of an individual's social security number in an application, form, or document sent by mail, electronically transmitted, or transmitted by facsimile:
 - (A) As part of an application or enrollment process;

- (B) To establish, amend, or terminate an account, contract, or policy; or
 - (C) To confirm the accuracy of the individual's social security number;
 - (3) The use of an individual's social security number for internal verification or administrative purposes; or
 - (4) An interactive computer service provider's or a telecommunications provider's transmission or routing of, or intermediate temporary storage or caching of, an individual's social security number.
- (c) This Code section shall not impose a duty on an interactive computer service provider or a telecommunications provider actively to monitor its service or to affirmatively seek evidence of the transmission of social security numbers on its service.
- (d) Notwithstanding the provisions of this Code section, the clerks of superior court of this state and the Georgia Superior Court Clerks' Cooperative Authority shall be held harmless for filing, publicly posting, or publicly displaying any document containing an individual's social security number that the clerk is otherwise required by law to file, publicly post, or publicly display for public inspection."

SECTION 2.

This Act shall become effective on July 1, 2006.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.